

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 COME-00 TRSE-00 FBIE-00 CPR-01
CIAE-00 INR-07 NSAE-00 EB-08 SS-15 NSC-05 SP-02
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DRAFTED BY EUR/SOV:MTDIXON:DKM
APPROVED BY EUR:JAARMITAGE
EUR/SOV:WHEDGAR
EUR/SOV:MLEVITSKY
L/EUR:JWILLIS (INFO)
COMMERCE/BEWT:HHEISS (INFO)
TREASURE:MSEARING (INFO)
EUR/SOV:MGARRISON
DESIRED DISTRIBUTION
FBI

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R 252005Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY MOSCOW

C O N F I D E N T I A L STATE 092728

E.O. 11652: GDS

TAGS:EGEN, PFOR, UR, US

SUBJECT: SOVIET ATTEMPTS TO OCCUPY PROPERTY IN US WITHOUT
OFFICIAL PERMISSION

REF: MOSCOW 3530

1. EUR DEPUTY ASSISTANT SECRETARY ARMITAGE CALLED IN
SOVIET EMBASSY DCM VLADILLEN VASEV APRIL 20 TO EXPRESS
CONCERN ABOUT THE FAILURE OF THE SOVIET EMBASSY TO
OBTAIN DEPARTMENT'S APPROVAL BEFORE PURCHASING PROPERTY
OR LEASING OFFICE SPACE.

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2. ARMITAGE OPENED THE MEETING BY NOTING THAT THE
REQUIREMENT TO OBTAIN APPROVAL PRIOR TO UNDERTAKING
SUCH ACTIONS WAS REAFFIRMED IN OUR NOTE OF JANUARY 7.
HE THEN PROCEEDED TO DISCUSS SOVIET VIOLATIONS. ARMITAGE
SAID THAT THE DEPARTMENT HAD RECEIVED A NOTE REFERRING
TO THE DESIRE OF THE SOVIET MARITIME ATTACHE TO OCCUPY

OFFICES AT 1101 16TH STREET; THAT THE NOTE MAKES IT CLEAR THAT THE OFFICES WERE LEASED WITHOUT A PRIOR REQUEST FOR THE DEPARTMENT'S APPROVAL; AND THAT IT IS THEREFORE NOT AN ACCEPTABLE BASIS FOR OUR GRANTING SUCH APPROVAL. IN A SECOND CASE, THE DEPARTMENT RECEIVED A LETTER FROM THE SOVIET EMBASSY COPYRIGHT SPECIALIST,

LEV MITROKHIN, WHICH STATES HIS INTENTION TO USE OFFICE SPACE AT 1511 K STREET. THIS WAS NOT CONSIDERED A REQUEST, EITHER. IN A THIRD CASE, THE DEPARTMENT HAD RECEIVED A LETTER FROM JOHN CHAMBERS, AMERICAN VICE PRESIDENT OF BELARUS MACHINERY, INC. (THE NEWLY-ESTABLISHED SOVIET TRACTOR COMPANY) REGARDING PREMISES IN THE US THE FIRM HOPES TO LEASE AND OCCUPY. ARMITAGE SAID PERSONAL LETTERS SUCH AS THIS ARE NOT ACCEPTABLE SUBSTITUTES FOR DIPLOMATIC NOTES REQUESTING PERMISSION TO ACQUIRE OR OCCUPY PROPERTY.

3. ARMITAGE SAID THE USG IS GREATLY DISTURBED AT THE MANNER IN WHICH THESE CASES HAVE BEEN HANDLED. IN ALL INSTANCES THE EMBASSY APPEARS TO HAVE DELIBERATELY IGNORED WHAT THE DEPARTMENT TOLD IT TO DO. IN FACT, THE MARITIME ATTACHE HAD ADVISED THE OWNER OF THE 16TH STREET PROPERTY TO IGNORE WHAT THE STATE DEPARTMENT HAD TOLD HIM. ARMITAGE INSISTED THAT THE ESTABLISHED PROCEDURES, AS REAFFIRMED IN OUR NOTE OF JANUARY 7, BE FOLLOWED IN THESE CASES AND ALL FUTURE CASES INVOLVING SOVIET ESTABLISHMENTS ANYWHERE IN THE US. HE EMPHASIZED THAT WE WILL NOT BE SYMPATHETIC TO FUTURE REQUESTS
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SUBMITTED AFTER PROPERTY HAS ALREADY BEEN ACQUIRED. IN THE INTEREST OF COOPERATION, AND IN HOPES OF RECIPROCAL TREATMENT FOR US PARTIES IN THE USSR, ARMITAGE SAID WE WOULD APPROVE THE ABOVE CASES AFTER RECEIPT OF A DIPLOMATIC NOTE REQUESTING PERMISSION TO USE THE PREMISES, REFERRING TO OUR NOTE OF JANUARY 7, AND SPECIFYING THE PREMISES AND THE PURPOSED FOR WHICH THEY ARE TO BE USED.

4. ARMITAGE THEN RAISED ONE OF THE MOST BLATANT VIOLATIONS OF THE JANUARY 7 NOTE -- THE LEASING AND OCCUPATION OF OFFICE SPACE THIS YEAR IN THE WORLD TRADE CENTER, NEW YORK, BY THE EXPORT AND INFORMATION DEPARTMENT OF AMTORG. SINCE THIS SUITE WAS LEASED AFTER THE EMBASSY HAD RECEIVED OUR JANUARY 7 NOTE, ARMITAGE SAID IT MUST BE VACATED BY THE END OF MAY.

5. VASEV REPLIED THAT THE SOVIET GOVERNMENT IS RELUCTANT TO ACQUIRE MORE PROPERTY THAN NEEDED AND THAT

THE COPYRIGHT AND MARITIME ATTACHE'S OFFICES WERE
LEASED ONLY BECAUSE OF THE EMBASSY'S INTERNAL
DIFFICULTIES WITH SPACE, FINANCING, ETC. HE SAID SOVIET
AUTHORITIES IN MOSCOW HAVE ORDERED THE EMBASSY TO OBTAIN
EXPLICIT APPROVAL FROM THE USG BEFORE ACQUIRING
PROPERTY AND THAT HE WOULD SEE THAT NOTES ARE SUBMITTED
FOR THE OFFICES TO BE OCCUPIED FOR THE MARITIME ATTACHE

AND THE COPYRIGHT SPECIALIST. HE PLEADED IGNORANCE
ABOUT BELARUS MACHINERY BUT SAID HE WOULD CONSULT WITH
TRADE REPRESENTATIVE MKRTUMOV AND DO WHAT WAS NECESSARY.
HE QUESTIONED, HOWEVER, WHETHER THE JANUARY 7 NOTE'S
REFERENCE TO "ALL SOVIET GOVERNMENT AGENCIES"
PERTAINED TO AMTORG. HE ALSO EXPRESSED DISAPPOINTMENT
THAT SMUN FACILITIES HAD BEEN INCLUDED IN THE NOTE. HE
ASKED WHETHER THE NOTE APPLIED TO APARTMENTS.

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6. ARMITAGE NOTED THAT SEVERAL MATTERS RELATING TO
AMTORG, INCLUDING REQUESTS TO INCREASE ITS STAFF, WERE
HANDLED ON A GOVERNMENT-TO-GOVERNMENT BASIS, BUT THAT
HE WOULD CHECK THE TECHNICAL POINT VASEV HAD RAISED. HE
INSISTED THE SMUN COMPLY WITH THE TERMS OF THE JANUARY
7 NOTE, AND SAID HE WOULD CHECK WHETHER THE NOTE
APPLIED TO THE ACQUISITION OF APARTMENTS.

7. COPIES OF RELEVANT DOCUMENTS BEING POUCHED TO EMBASSY.

8. COMMENT. WE PLAN TO CLARIFY OUR INTERPRETATION OF
AMTORG AS AN OFFICIAL SOVIET AGENCY AND THE RELEVANCE
OF THE JANUARY 7 NOTE TO APARTMENTS IN A NEW NOTE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FOREIGN RELATIONS, BUILDINGS & GROUNDS, REAL PROPERTY ACQUISITION, DIPLOMATIC PROTOCOL
Control Number: n/a
Copy: SINGLE
Sent Date: 25-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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Disposition History: n/a
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vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/5e28969f-c288-dd11-92da-001cc4696bcc
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